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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Joshua DEPRIEST

Case: 2:18-mj-30647

Assigned To : Unassigned

Assign. Date : 12/14/2018

Description: CMP USA v. SEALED MATTER (SO)

TWT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 2018 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 2251(a) Production of child pornography

18 U.S.C. § 2252A(a)(5)(B) and (a)(2) Possession and receipt child pornography

This criminal complaint is based on these facts:

See attached AFFIDAVIT.

 Continued on the attached sheet.


Complainant's signature
Special Agent Claudia Chechi
Printed name and title


Judge's signature
Hon. R. Steven Whalen, United States Magistrate Judge
Printed name and title

Sworn to before me and signed in my presence.

DEC 14 2018

Date: _____

City and state: Detroit, Michigan

AFFIDAVIT

I, Claudia A Chechi, being first duly sworn, state as follows:

1. I am employed as a Special Agent for the United States Department of Homeland Security (DHS), ICE Homeland Security Investigations (HSI), Detroit, Michigan; and am currently assigned to the Child Exploitation Investigation Group. I have been employed as a Special Agent since 2009, when I began my career as a Special Agent with Immigration and Customs Enforcement, Department of Homeland Security. During my career, I have received extensive training in the methods used by alien smugglers, drug traffickers, money laundering organizations, and child exploitation offenders. I have participated in numerous arrests for various violations of law; as well as numerous seizures of narcotics and other contraband; and seizures of currency, monetary instruments, computer equipment, and business and financial records. I have interviewed multiple subjects who possessed, distributed, manufactured, and received child pornography images. Along with other agents, I am responsible for enforcing federal criminal statutes involving the sexual exploitation of children.
2. This affidavit is made in support of a criminal complaint and arrest warrant for JOSHUA ALLEN DEPRIEST (DOB 06/XX/1988) for violations of 18 U.S.C. § 2251(a) and 2252A(a)(5)(B) and (a)(2), which make it a crime to produce, receive and possess child pornography in interstate and foreign commerce.

3. This affidavit is being submitted for the limited purpose of securing a complaint and arrest warrant; therefore, this affidavit does not contain every fact that I have learned during the course of the investigation. I have set forth only those facts necessary to establish probable cause to believe that DEPRIEST has violated 18 U.S.C. § 2251(a) and 2252A(a)(2) and (a)(5)(B). The information contained in this affidavit is based upon my personal knowledge, training, and experience, as well as the combined training and experience of other law enforcement officers with whom I have had discussions.

DETAILS OF INVESTIGATION

4. On or about October 9, 2018, your affiant received information from Taylor Police Department (PD) concerning a minor victim (hereinafter MV-1) who resided and continues to reside in the Eastern District of Michigan. On October 7, 2018, MV-1's mother informed Taylor PD officers she found Facebook messages on her seven-year old son's cellular telephone containing abusive and sexually explicit language, as well as child pornography images. MV-1 (DOB XX/XX/2011) informed her he communicated with an adult male on October 6, 2018 via Facebook. The mother took pictures of the communications between MV-1 and this adult male using her cellular telephone. She recognized the name of the offender communicating with MV-1, Joshua DEPRIEST. According to MV-1's mother, DEPRIEST was a distant relative of hers. MV-1's mother also identified the person

depicted in the profile picture of the individual communicating with her son to be her relative: JOSHUA DEPRIEST.

5. Your affiant reviewed the communications between MV-1 and DEPRIEST and the results of forensic examinations conducted on MV-1's mother's phone and MV-1's phone. Based on this review, your affiant determined that DEPRIEST sent MV-1 several sexually explicit images. Moreover, the messages sent by DEPRIEST consisted of multiple and persistent requests for nude images and videos of MV-1. MV-1 declined on multiple occasions and informed DEPRIEST he was a child and was not supposed to receive the type of images DEPRIEST sent. The messages DEPRIEST sent to MV-1 in October of 2018 include, but are not limited to, the following:

- U have a pic of your butt? Plz
- If u send me a pic of your butt I will call u
- Such a nice butt buddy
- If u send me a video of you farting or pooping I will call right know
- Send me a video of u farting or pooping where it shows your butt hole
- Just a video of your butt hole pushing for a minute or two
- Send a video so I can see better
- Yea I had a friend who was about your age that would always fart on my nose
- My nose would go right into his butt hole and he would rip out alot of farts

5. Some of the images sent by MV-1 in response to DEPRIEST's requests are described below. MV-1's mother has identified MV-1 as the boy depicted in each image:

- Image bearing filename o3vBIR2H956ailSVvBm_ZwO0qZ8.cnt. Your affiant has viewed this image for investigative purposes and found this image to meet the federal definition of child pornography, as it depicts a MV-1 wearing a grey shirt, and dark pants with dinosaur print on it. His buttocks and part of the genitals are visible. His right hand is visible.
- Image bearing filename O00YMVHw93xi7BXYVgnBYHznEBU.cnt. Your affiant has viewed this image for investigative purposes and found this image to meet the federal definition of child pornography, as it depicts MV-1 wearing a grey shirt with green and dark color short sleeves. MV-1 is nude from the waist down and is exposing his buttocks to the camera. His right arm is visible.
- Image bearing filename kaAqAptgj2a_hp3KO_ieh8nNDDo.cnt. Your affiant has viewed this image for investigative purposes and found this image to meet the federal definition of child pornography, as it depicts a MV-1 wearing a grey shirt and dark pants with dinosaur print on it. He is bent forward from the waist, his pants are pulled down, exposing his buttocks and parts of the genitals to the camera.

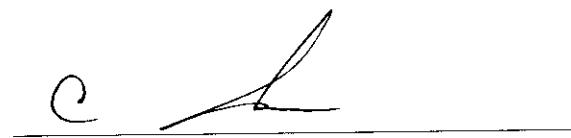
6. During a forensic interview, MV-1 stated that he engaged in a video chat on Facebook with DEPRIEST. MV-1 positively identified the person depicted on DEPRIEST's driver's license (06/XX/1988) as the person who he had been communicating with on Facebook that he had told his mother about.

7. In November 2018, Facebook provided information pursuant to a federal search warrant for the Facebook account DEPRIEST used to communicate with MV-1. Your Affiant has analyzed the content of the return and found evidence of the following:

- communication between DEPRIEST and MV-1's account¹.
- Images that meet the federal definition of child pornography
- communication regarding a Facebook group with a name indicating that its purpose involves child pornography

¹ The explicit communications between MV-1 and DEPRIEST that were recovered from MV-1 and MV-1's mother's phones are not contained in the return, most likely because they were deleted.

8. Based upon the foregoing, there is probable cause to believe DEPRIEST has produced child pornography in violation of 18 U.S.C. § 2251(a), and possessed and received child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B) and (a)(2). Accordingly, your Affiant respectfully requests that this Court issue an arrest warrant.



Special Agent Claudia Chechi
Homeland Security Investigations/DHS

SUBSCRIBED and SWORN
before me on December 14, 2018



R. Steven Whalen
United States Magistrate Judge